

## JOHN REAL TO BE HANGED

**THE SUPREME COURT'S AFFIRMATION OF THE DEATH SENTENCE.**

**Judge Cardozo Holding Out for a New Trial—Real Going before the Court of Appeals.**  
THE SUN, an usual advance of the old ~~for~~ press, announced the fact that the Supreme Court

we have the formal opinions of the Judges. In the opinion of the Court rendered yesterday, a majority of the Judges decide that Real was justly convicted of the deliberate murder of Policeman John Munnick, and that he must expiate his crime upon the gallows. To those who still remember all the circumstances of the murder this announcement will not come unexpected.

**JOHN REAL'S TRIAL AND SENTENCE.**

The trial of John Real took place in the Court of Oyer and Terminer, before Judge Barnard, on the

and concluded at midnight, when the jury, after a short absence, found the prisoner guilty of murder in the first degree. Judge Barnard, at midnight, in the presence of the immense crowd which thronged the court room, immediately sentenced the prisoner to be hanged on the second of last April. **RE WAS REMOVED** to the Tomb and confined in the condemned cell—the same in which Friery, Jerry O'Brien, and other murderers passed their last days on Earth. No little difficulty was experienced in procuring a stay of execution. Applications were made to two Judges, both of whom positively declined to interfere.

**NARROW ESCAPE FROM THE GALLOWES.**

At last, the day before the execution, when the hammering by the carpenters who were constructing

The case was ably argued last June before the General Term of the Supreme Court.

Judge Clerk's opinion, which is voluminous, is that the substantial rights of the prisoner were reasonably protected. The court also said it saw no reason why Jury could have acquitted him. Judge Barnard also affirms his own judgment. The dissenting opinions of Judge Cardozo argues that error was committed in the jury instructions. He said that the judge should have been tending to show threats of violence on the part of Smedley toward Real. Judge Cardozo also says that

Shortly after the decision of the Court was pronounced, information of the fact was conveyed to Real. He betrayed no emotion, and replied that he hardly expected a different result. Later in the afternoon Real was sad and low-spirited, and declined to see any one but his relatives. Since

over a period of eighteen months, Real's conduct has been exemplary. He entered the prison strong, hale, hearty man. To-day he is a wreck with a constitution shattered by prolonged confinement. If the prison doors were to be opened to him to-morrow, he would not live six months. He is falling fast every day, and his death is near at hand. This decision of the General Term of the Supreme Court is not a surprise. It will next be reviewed by the Court of Appeals, and at least a year will elapse before that tribunal renders its decision. Long before that day shall come John Real will be in his tomb.

**BROOKLYN.**

The inquest touching the case of Thos. Wallace and son, who were killed some time since, by means of a falling tree, will be held at 10 o'clock tomorrow.

**PERSONAL INTELLIGENCE.**

Judge Grier will resign to-day.

Dr. Foley is Bishop Duggan's successor.

The Hon. John Morrissey has been in town since yesterday morning.

Senator Fenton arrived at Washington yesterday and took temporary lodgings at the Arlington House.

The Hon. Mark M. Pomeroy, of the Democratic ticket in California, and last night, predicted "Meat's Ration." The subject in connection with Ohio goes a rither suggestive.

there-in-law, lately defeated as a candidate for Governor of Mississippi, has returned to Washington, and is practicing as a claim agent before the Department. His success is sometimes astonishing.

Mr. Edbrooke, champion velocipedian of England, has come to this country to make a match with Messenger, the champion long distance rider of the country. Edbrooke challenges Mr. Messenger to a race from here to one hundred miles for any sum that may be agreed between them at their meeting in the Chipper office next Friday.

\$300 by his associates. The presentation was made Mr. J. Hertz, to which Mr. Hunter feelingly responds A worthy present worthily bestowed.

**SPARKS FROM THE TELEGRAPH.**

J. B. Folsom was yesterday reflected Mayor Lowell, Mass.

N. B. Shurtleff was yesterday reflected Mayor Boston by 6,987 majority.

Mr. McCreeff is to-day to be reflected United States Senator from Kentucky.

Robert Couch of Newburyport was elected Mayor.

The Senate will concur in the House resolution adjourn from Dec. 22 to Jan. 5.

The Grand Lodge of Masons began its session Richmond, Va., last night.

The San Francisco press urges the formation of Vigilance Committees, as the only means of breaking the political rings.

William H. Kent, the Anti-Annexation-to-Boston candidate, was elected Mayor of Charlestown, Mass. yesterday.

The Howland will case, which has been in litigation for some time, was decided in favor of the Howlands.

A son of the Rev. Mr. Paul, of St. Philip Church, Crampton, R. I., aged 7 years, was drowned Saturday while skating.

Miss Nettie Irwin and Herman Cochran were drowned while skating on a pond in a graveyard at Chester, Pa., on Saturday.

Dr. Hermann Ransch, one of the city physicians

The earnings of the Atlantic and Great Western Railroad for the year ending June 30, 1899, were \$5,995,567; operating expenses, \$3,459,293; net earnings \$1,638,539.

The inhabitants of the southern counties of California have petitioned the Legislature of that state to send a committee to investigate the state of affairs in San Francisco, Los Angeles, and San Diego relative to the Chinese.

Frank McHard, proprietor of a country store, at Hooten, Cal., and four other men, were murdered the night of the 14th inst., and the store robbed. Another store was robbed a few nights before in the same neighborhood, and the bodies of two men found in the store last week.

THE UNIVERSITY OF CHICAGO